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Letter dated 13 December 2004 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to transmit a press release issued by the Ministry of Foreign Affairs of the State of Eritrea on 12 December 2004 concerning the peace process between Eritrea and Ethiopia.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Ahmed Tahir **Baduri**
Ambassador
Permanent Representative

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Annex to the letter dated 13 December 2004 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Press release issued on 12 December 2004 by the Ministry of Foreign Affairs of Eritrea

Four years have elapsed since Eritrea and Ethiopia signed the Comprehensive Algiers Peace Agreement on 12 December 2000. The Algiers Peace Agreement was signed after lengthy negotiations that were punctuated by successive Ethiopian military offensives which claimed thousands of lives.

On the basis of the Algiers Agreement, the United Nations deployed a peace-keeping force, UNMEE, at an annual cost of 200 million US$. Similarly, a neutral Boundary Commission was established in January 2001 "to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900,1902 and 1908) and applicable international law".

The Boundary Commission announced its verdict on 13 April 2002 after examining the voluminous memorials and counter memorials submitted by the Parties as well as a two-week Hearing. The Boundary Commission further issued detailed Demarcation Directions and undertook necessary groundwork to start physical demarcation of the Boundary. This work would have been completed in November 2003 had Ethiopia honoured its treaty obligations and cooperated with the Boundary Commission in accordance with the explicit provisions of the Algiers Agreement. The UN peacekeeping mission would have winded up last year, saving considerable cost to the international community and ushering a period of peace and stability to our region. More importantly, the humanitarian plight of 60,000 of our citizens who remain dislocated from their home villages and towns; the opportunity cost to the peoples of Eritrea and Ethiopia and the clouds of another unnecessary and unjustifiable confrontation would have been removed. As we have maintained all along, the blame for this state of affairs does not rest with Ethiopia alone. Our partners in peace have treaty and moral obligations to persuade Ethiopia to uphold the rule of law and abide by its treaty obligations to promote peace and stability in our region.

The Government of Eritrea thus underlines, at this propitious juncture, that the way forward lies in Ethiopia's:

- Full and unconditional respect of the Algiers Agreements;
- Strict compliance with the Boundary Commission decision of April 13, 2002;
- Withdrawal of its forces from sovereign Eritrean territories; and,
- Cooperation with the Boundary Commission to ensure expeditious demarcation of the Boundary.

The Government of Eritrea urges the international community to help secure peace and stability in our region by putting pressure on Ethiopia to ensure the long over-due demarcation of the boundary.

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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed and to submit a report to it on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, the Security Council, at its informal consultations on 8 July 2002, requested me to submit a written report to it every six months.

2. Since my last report, of 4 June 2004 (S/2004/456), the Assistant Secretary-General for Political Affairs, Tuliameni Kalomoh, briefed the members of the Council on 29 September 2004, on the progress achieved by the Government since taking office in May 2004 following the legislative elections in March 2004. The Assistant Secretary-General then briefed the members of the Council on 7 and 22 October 2004 on developments following the military mutiny on 6 October 2004.

3. The present report concentrates on developments since the October briefings. It also contains, as requested by the Council in its presidential statement of 2 November 2004 (S/PRST/2004/41), suggestions on what contribution the United Nations could make towards an active and coordinated international effort to assist Guinea-Bissau.

II. Political situation

4. Prior to the mutiny of 6 October, the political situation in Guinea-Bissau showed signs of progress and promise. Following the completion of the first phase of the transitional process, the Interim President, Henrique Pereira Rosa, and the new Government formed after the legislative elections of March 2004 undertook vigorous efforts towards restoring constitutional rule and institutional stability. The executive, legislative and judiciary branches began to function within the parameters of the powers envisaged in the Constitution. The authorities put in place a new National Electoral Commission to organize future polls, including presidential elections, scheduled for 2005, which would complete the political transition and mark the full restoration of constitutional normalcy.

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5. In the socio-economic area, the Government's fiscal and governance reforms resulted in improved revenue collection, which made it possible for it to meet its commitments to pay current salaries to civil servants and the security forces, partially alleviating hardship in many households. The Government also worked closely with the Bretton Woods institutions, which were encouraged by the measures enacted by the authorities to restore central fiscal control. As a result, discussions between the Bretton Woods institutions and the Government for the finalization of the poverty reduction strategy paper have begun. The poverty reduction strategy paper is a prerequisite document for the round table initially scheduled for December 2004, but now postponed as a direct result of the renewed instability provoked by the mutiny of 6 October.

6. Regrettably, the military mutiny of 6 October, which resulted in the assassination of the Chief of General Staff, General Verissimo Correia Seabra, and the spokesman for the armed forces, Colonel Domingos de Barros, has jeopardized those and other gains achieved by the new authorities and demonstrated the fragility of the continuing transitional process and of the society as a whole.

7. As the members of the Council will recall from the briefings provided by the Secretariat following the mutiny of 6 October, the revolt was led by a group of officers who stated that their actions had been motivated mainly by grievances over salaries, poor living conditions and corruption within the military hierarchy. They insisted that the mutiny had not been a coup d'état or aimed at changing the political status quo. Subsequently, they sought, and obtained from the authorities, the appointment of their nominee, Major General Tagme Na Waie, as new Chief of General Staff. General Tagme and new chiefs of the navy, the air force and the army were sworn in on 11 November 2004, bringing to an end a worrying month-long vacuum in the military leadership.

8. Their appointment was widely perceived, however, as caving in on the part of the civilian authorities to pressures from the military, and as a sign of further erosion of the authority of the constitutional Government and its institutions. In addition, many political and civil society actors voiced deep misgivings about impunity following the Government's commitment in the memorandum of understanding — signed with the military — to a possible blanket amnesty for all those involved in military interventions since 1980.

9. The mutiny has also increased the danger of polarization of Guinea-Bissau society along ethnic lines, especially given the widespread perception that the revolt was inspired by Balanta elements in the armed forces, intent on assuming control of the military establishment.

10. The interim President has since underlined the importance of proceeding with the long planned reform of the armed forces, a goal endorsed by the new Chief of General Staff, who announced the military hierarchy's readiness to work towards a profound reform of the armed forces.

11. The Economic Community of West African States (ECOWAS) and the Community of Portuguese-speaking Countries were very active in demonstrating solidarity and providing assistance to the Government of Guinea-Bissau following the mutiny of 6 October. They not only sent delegations to express support for the civilian authorities and to condemn unreservedly the events that occurred, but they also offered material and technical assistance, including the presentation by

ECOWAS of a cash donation of about US$ 500,000 towards paying some of the salary arrears owed to the military. Both organizations have decided to designate full-time representatives to be based in Bissau to work with the national authorities and the international community to promote peace in the country. Meanwhile, the Community of Portuguese-speaking Countries, following a ministerial decision taken at its meeting in Lisbon on 1 November 2004, which was also attended by my Representative in Guinea-Bissau, dispatched a sensitization and good offices mission to Bissau on 15 November 2004 to assist the civilian and military authorities to find lasting peace in the country.

III. Economic and social aspects

12. The socio-economic situation remains critical. The Government does not have the resources to meet recurrent expenditure and clear the huge backlog of salary arrears inherited from the previous Government. Repeated acts of instability and unrest do not encourage efforts to generate revenue and investments required for sustained economic growth.

13. The Emergency Economic Management Fund, created at the initiative of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council and administered by the United Nations Development Programme (UNDP), which has been providing financing for critical social needs and for the minimum functioning of the State in priority sectors, including the payment of civil service salaries, has been depleted and will cease to be operational at the end of this year.

14. Following a meeting of the Board of the International Monetary Fund (IMF) on 19 November 2004, to discuss post-conflict assistance to Guinea-Bissau, an IMF mission was scheduled from 4 to 18 December 2004 to assist the authorities with the preparation of the 2005 budget. A second mission is planned once a date for a round-table conference is fixed. Meanwhile, the Government anticipates access to a second tranche of €5.3 million from the €17.2 million budget support package agreed with the European Union in 2001, contingent upon an agreed macroeconomic framework with IMF. A further €5 million will be available by the end of the year once this agreement is reached.

15. Meanwhile, the health and education sectors, like most other public services, continue to suffer from a lack of adequate infrastructure, financial resources and qualified human resources. Despite these shortfalls, State schools were able to commence the 2004/05 school year on time in October for the first time in three years, owing to the provision of teaching materials financed under the Emergency Economic Management Fund. Also on the positive side, the national polio vaccination campaign covered 97 per cent of children and the United Nations system provided substantial support for the national campaign against malaria. The first national forum on HIV/AIDS was held in September and was one of several activities funded under the United Nations implementation support plan.

IV. Military and security aspects

16. Prior to the mutiny of 6 October, UNOGBIS had been providing technical support and resources to the Government. This enabled the Government to set up a preparatory commission to initiate the planning process for a forum to discuss

reform of the armed forces and reconciliation among the various factions within the military. The factions tend to have close ties with distinct political forces, thereby bringing into the military establishment tensions characteristic of relations among some political parties. Given the problems in reaching a common understanding on the initiative, and the reluctance on the part of the armed forces to engage in the work of the commission, it was decided to re-evaluate the preparatory process. That re-evaluation was interrupted by the events of 6 October and will resume now that a new military leadership has been appointed.

17. There is also a pressing need for the reform of the police force, which continues to face a critical shortage of equipment, funds and capacity to enable it to fulfil its public security role. For instance, according to the newly appointed Police Commissioner, the police department in Bissau only has two working vehicles at its disposal.

18. Under the supervision of the UNDP-supported national mine action coordination authority, progress towards the elimination of mine-related risks has continued. By 12 November 2004, the two national mine-clearance non-governmental organizations, Humaid and Lutcam, had removed 2,599 mines and 34,900 pieces of unexploded ordnance in an area covering 759,784 square metres. The European Union has pledged to contribute €600,000 and the Government of Germany $140,000 to support mine clearance. Mine clearance in Bissau is scheduled to be completed by the end of 2005, and in the east and south of the country by the end of 2006.

19. Meanwhile, the International Organization for Migration has continued to provide administrative and financial management support to the demobilization, reinsertion and reintegration programme, which is in the reintegration phase and involves 7,182 ex-combatants. For technical reasons, the programme will not be able to complete all the reintegration activities on schedule by July 2005, and will need to be extended until December 2005.

V. Human rights aspects

20. The human rights situation is worrying. The events of 6 October 2004 have intensified the climate of uncertainty and insecurity among the population, especially given the fact that no official investigation of the circumstances surrounding the mutiny and the assassination of General Seabra and Colonel de Barros has been launched. In the aftermath of the revolt, civil sector workers, who often go on strike to demand the payment of their regular salaries and salary arrears, are becoming more aggressive in defending their economic and social rights, which adds to the existing tensions.

21. Following the provisional release, on 18 June 2004, of 13 out of 20 prisoners accused of attempted coups d'état and arbitrarily detained since December 2002, UNOGBIS continued to follow closely the cases of the seven remaining detainees, periodically visited them and made recommendations to the authorities. In November 2004, all detainees were provisionally released, pending trial.

22. During the reporting period, UNOGBIS and the United Nations agencies have continued to promote gender equality and the implementation of Security Council resolution 1325 (2000) on women and peace and security. Within this context, they

are supporting the efforts of the Institute of Women and Children to secure the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

VI. Observations and recommendations

23. The challenges confronting Guinea-Bissau are complex and multisectoral. The situation has been further complicated by the mutiny of 6 October and its consequences. I am encouraged by the fact that all segments of the population are actively engaged in a comprehensive reflection on a way out of the recurrent crises so that Guinea-Bissau can begin to build sustainable peace and progress. It is with a view to contributing to that effort that I have proposed, in my letter of 19 November 2004 to the President of the Security Council, not only an extension of the UNOGBIS presence in Guinea-Bissau but also a revision of its mandate to take into account the diverse tasks at hand and the importance of strengthening the capacity of national stakeholders to confront those challenges.

24. In my letter of 19 November 2004, I outlined the new tasks which the Council may wish to include in a revised mandate for UNOGBIS. Such a new role would allow the Office, working closely with the United Nations country team, to integrate development and peace and security activities with a view to defining a cohesive peacebuilding strategy in the immediate, medium and longer terms.

25. The revised mandate of UNOGBIS will enable the Office, working together with the United Nations country team and the international community, to help Guinea-Bissau to overcome its current difficulties, including the organization of presidential elections next year to ensure the full restoration of constitutional normalcy. With regard to those elections, in response to the request of the Interim President, the United Nations stands ready to provide technical support for their organization and to coordinate international observation.

26. UNOGBIS and the country team will contribute to institutional capacity-building to enable the legislative, the executive and the judiciary branches to function more effectively. Training and advocacy in the advancement of the respect for human rights and the rule of law will be intensified.

27. Serious attention needs to be given to the area of military reform. To that end, UNOGBIS and the country team will support efforts of the Government and the armed forces to plan and implement military reform.

28. To help the Government to meet these challenges, UNOGBIS will work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance. UNOGBIS will also continue to actively promote the development of national processes and mechanisms of conflict prevention and management, especially through the strengthening of the capacity of civil society organizations, including women's groups, to intervene in this realm.

29. The challenges facing Guinea-Bissau are many and complex. I appeal to the international community to continue to provide assistance to help Guinea-Bissau meet its immediate needs as well as its more structural challenges. My recommendations in that regard are outlined below.

30. In the immediate term, given the country's chronic revenue deficiency, the Emergency Economic Management Fund should be extended beyond its closing date of the end of December 2004 until June 2005, to enable the Government to meet its urgent budgetary priorities in accordance with the Fund's terms of reference. I wish to commend those partners that have contributed to the Fund and to encourage them and other partners to provide further contributions to the Fund.

31. With regard to the process of military reform, it is essential, once the Government and the military authorities define the nature and scope of such reform, that the international community provide the necessary support to national efforts to ensure that the process will begin and proceed expeditiously. Once the objectives and modalities of the restructuring of the security sector, including the armed forces, are defined, a special fund similar to the Emergency Economic Management Fund should be set up to facilitate the planning and implementation of the reform process. UNOGBIS and the country team will work closely with the national authorities to define various programmes in support of that process as well as to mobilize the necessary resources for their implementation.

32. The United Nations will also assist the authorities to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Within the framework of the implementation of that Programme, the Government should be encouraged to collect and destroy small arms and light weapons held in private hands. Working with ECOWAS and neighbouring States, the Government should also address the regional proliferation of small arms, and other cross-border issues.

33. In terms of medium- and longer-term priorities, the United Nations, working together with donors, should design and develop programmes aimed at (a) strengthening national institutions and structures in the political, judiciary, social and economic realms; (b) developing and empowering civil society bodies, including women's organizations; (c) addressing the plight of youth, especially through the provision of opportunities for productive and constructive participation in national life and processes; and (d) rebuilding social and public infrastructure.

34. Given the enhanced presence of ECOWAS and the Community of Portuguese-speaking Countries on the ground in support of Guinea-Bissau, a joint coordinating mechanism with the United Nations should be set up to ensure synergy and complementarity and to avoid duplication of efforts.

35. At the same time, UNOGBIS, together with the United Nations country team, will intensify efforts to strengthen the judiciary system and to enable it to function more effectively, through capacity-building and resource allocation.

36. Guinea-Bissau has made important progress since the 1998/99 conflict. As the country moves towards the completion of the ongoing transitional process, new challenges emerge, as evidenced by the military mutiny of 6 October 2004. It is regrettable that since the beginning of the transition qualified optimism has been replaced by growing scepticism and an enhanced perception that the military poses the greatest obstacle to the consolidation of democracy and peace. There is also growing exasperation that recurrent military interventions are preventing the resumption of development assistance, economic opportunities and improvement in living conditions.

37. I encourage the authorities of Guinea-Bissau to continue their efforts to complete the political transition peacefully, including by holding presidential elections as envisaged in the Political Transition Charter. To that end, it is essential that political dialogue be enhanced and more constructive civil/military relations be promoted, aimed at ensuring that the military establishment strictly observes the principle of subordination to civilian political authorities. I therefore urge all stakeholders, in particular political and military leaders, to rise above their partisan interests and ambitions and to help to preserve and consolidate peace and stability during the transitional period and beyond.

38. Despite the recurrent nature of Guinea-Bissau's problems, it is crucial that the development partners of Guinea-Bissau remain engaged. They should not allow the events of 6 October to diminish their commitment to assist the country in completing the transition and to provide the political, financial and technical assistance that Guinea-Bissau needs to meet its immediate and medium- to longer-term priorities in order to reach stability and sustainable development. I therefore urge the international community and all partners of Guinea-Bissau to be generous in their assistance, including providing contributions to the Emergency Economic Management Fund and the necessary financial and technical support for the holding of presidential elections in 2005.

39. I would like to commend the Bretton Woods institutions for their continued engagement in Guinea-Bissau and I appeal to the international community to participate actively in the round table, once a new date for its convening has been fixed. Economic reforms and the rejuvenation of the national economy are critical and should be supported by local and foreign investors.

40. I also wish to welcome the constructive efforts of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council, the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council and the Group of Friends of Guinea-Bissau and their active role in energizing Guinea-Bissau's partners to assist the country in addressing its short-term post-conflict and longer-term development objectives. The Emergency Economic Management Fund, established as a result of those efforts, is a useful mechanism for channelling financial assistance provided by the international community. It is my fervent hope that these efforts will continue.

41. Lastly, I should like to pay tribute to my Representative in Guinea-Bissau, João Bernardo Honwana, and to the staff of UNOGBIS and the whole United Nations country team for their dedicated contribution to efforts to help stabilize Guinea-Bissau, in a persistently difficult and challenging environment.